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November 28, 2022

Via Email and FedEx

Alan L. Frank
135 Old York Rd.
Jenkintown, PA 19046
afrank@aflaw.net

Re: AC2T, Inc. v. Colin Purrington, Case No. 2:19-cv-5946-RBS

Dear Mr. Frank:

I am in receipt of your subpoena. I am writing to provide you with objections thereto pursuant to Fed. R. Civ. P. 45(d)(2)(B) on behalf of myself and my law firm, Bursor & Fisher, P.A. Based on these objections, we will not be producing any documents in response to your subpoena.

1. The requests are overbroad, irrelevant, impose undue burden, and are made solely for improper purposes. Communications to which Mr. Purrington was not a party cannot conceivably give rise to a claim that Mr. Purrington defamed Spartan. Moreover, your complaint does not allege any claim for defamation in connection with communications to me or my firm. None of our communications have any relevance to the claims at issue in your case.
2. The requests seek privileged attorney work product. Any communications between my firm and any of the parties listed on the subpoena regarding Spartan were in furtherance of our prosecution of the pending class action against Spartan.
3. Any communications with Mr. Purrington should appropriately be sought directly from him, since he is a party to the action, rather than via third-party subpoena.

This is an abuse of the subpoena power in an attempt to gain access to my work product from my investigation in Spartan's class action. If you attempt to enforce the subpoena, we reserve our right to seek sanctions from the court in Pennsylvania. We will also inform the court in our case of this remarkable attorney misconduct.

Respectfully,



Yitzchak Kopel

CC: All defense counsel in *Rosenfeld v. AC2T, Inc.* (via email)